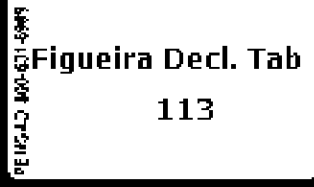


DECLARATION OF ROBERT TUR

113



I, Robert Tur, declare as follows:

1. I am an owner of the Los Angeles News Service ("LANS").

2. LANS is a duly accredited news gathering and reporting organization, which produces video and audio tape recordings of newsworthy events.

3. LANS both operates and contracts to other news organizations and licenses and sells news video, videotapes, photographs, and other products used by other news operations for all media, including television, cable, motion picture, Internet and print media.

4. I am the owner of, *inter alia*, the following registered copyrighted works:

- a. PA-576-702: "Beating of man in brown hatchback with rescue;"
- b. PA-576-703: "Beating of man in white panel truck;"
- c. PA-839-603: "Earthquake;"
- d. PA-576-704: "Beating of Reginald Denny", and
- e. PA-862-544: "North Hollywood shootout."

Each of these five works (collectively, "Infringed Works-A") has been uploaded on the YouTube website, YouTube.com, both before the filing of the complaint in this case, after service of the complaint on YouTube, and presently.

1 5. At no time have I given an assignment, license, or permission of any
2 kind to YouTube or to any of its users who have uploaded my ¹¹³⁻⁰⁰⁰²copyrighted works
3 onto YouTube.com.
4

5 6. A representative set of infringements currently ongoing of my
6 Infringed Works-A include Exhibits 1-8, attached hereto. These exhibits are true
7 and correct copies of downloads of YouTube.com taken after my complaint was
8 served upon YouTube. Each of them shows a frame from one of my Infringed
9 Works-A juxtaposed against the following types of advertising: (a) banner
10 advertising – such as for NetFlix; (b) promotion of other YouTube.com videos (on
11 the right side of the screen captured); (c) promotion/branding of the YouTube.com
12 logo and name (at the upper part of the screen captured).
13
14
15

16 7. At the YouTube.com website is the User Agreement, which must
17 automatically be accepted electronically by each user. Section 5.B of the User
18 Agreement states in relevant part:
19

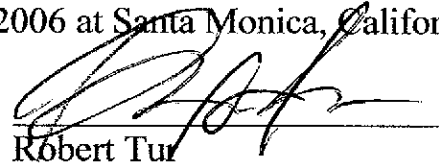
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display and perform such User Submissions as permitted through the
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1 derivative works thereof) in any media formats and through any media
2 channels. You also hereby grant each user of the YouTube Website a
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4 Website, and to use, reproduce, distribute, prepare derivative works of,
5 display and perform such User Submissions as permitted through the
6 functionality of the Website and under these Terms of Service....

7 The foregoing facts are within my personal knowledge, and I could
8 competently testify to them.

9 I declare under penalty of perjury under the laws of the United States of
10 America that the foregoing is true and correct.
11

12 Executed this 13th day of November, 2006 at Santa Monica, California.

13
14 
Robert Tur

<http://www.youtube.com/watch?v=XVx5RpqANJM&mode=related&search=>

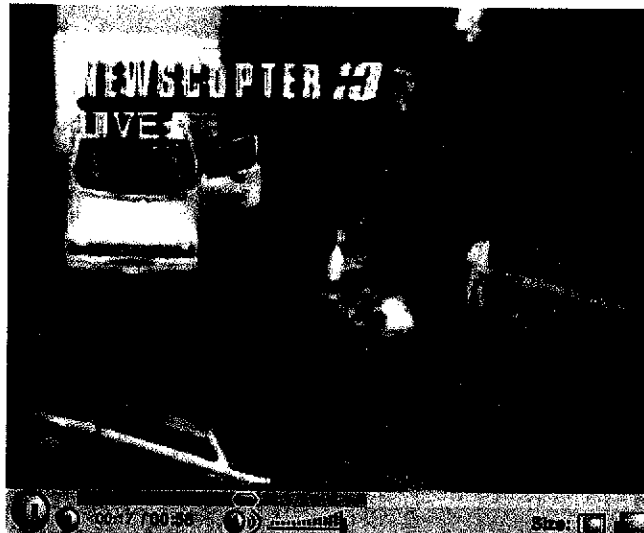
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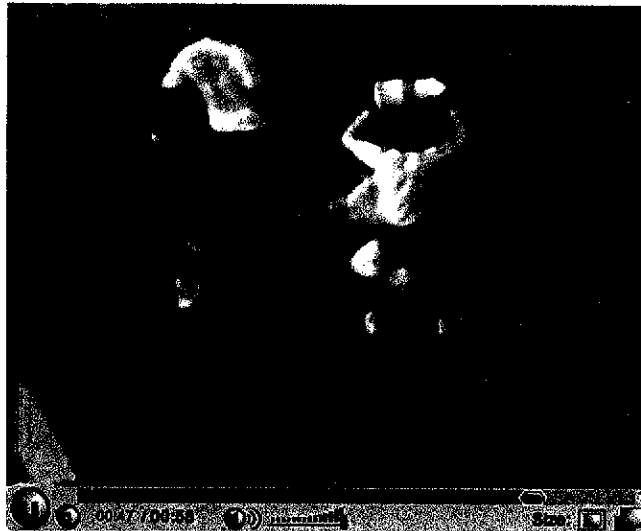


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EXHIBIT 2

113-0006

intera
much 11

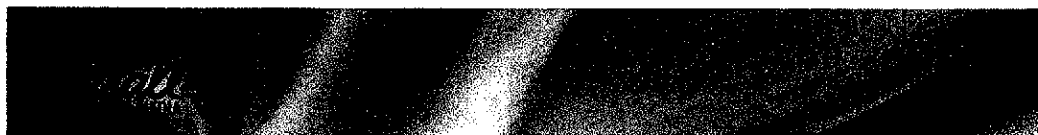
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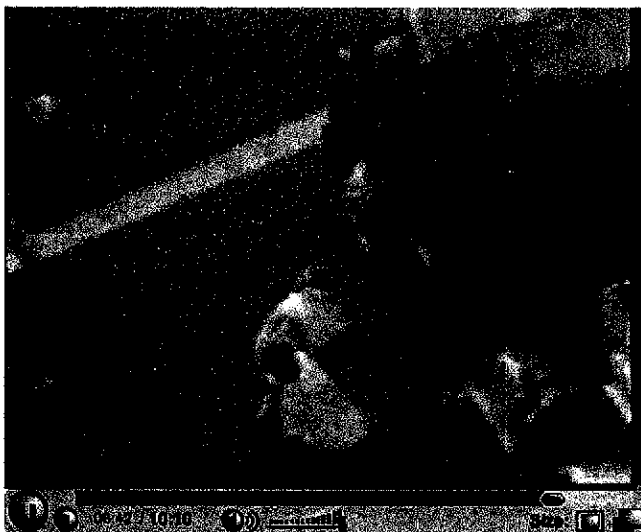
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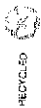
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17



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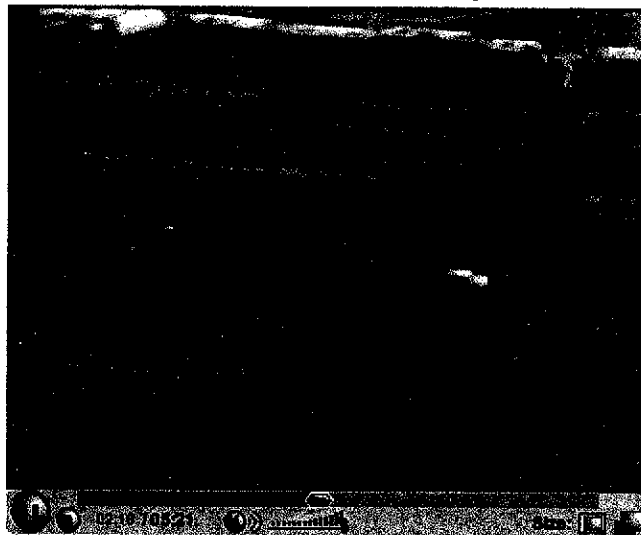
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Tags [live](#) [era](#) [video](#) [gunnaroses](#) (more)

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04:32
From: [lasha2892](#)
Views: 101668



[Guns N' Roses - Welcome To The Jungle](#)
04:34
From: [u4ku](#)
Views: 12543



[Welcome To The Jungle](#)
04:25
From: [indigo67](#)
Views: 1410



[Welcome to the One Place Jungle](#)
02:21

[CSS - Let's Make Love and Listen to Death From Above](#)
03:56
From: [subpoprecords](#)



[A Dedication To My Friends \(Bonnie and Clyde\) by Haystack](#)
04:34
From: [mookie1](#)

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113-0010

113-0011

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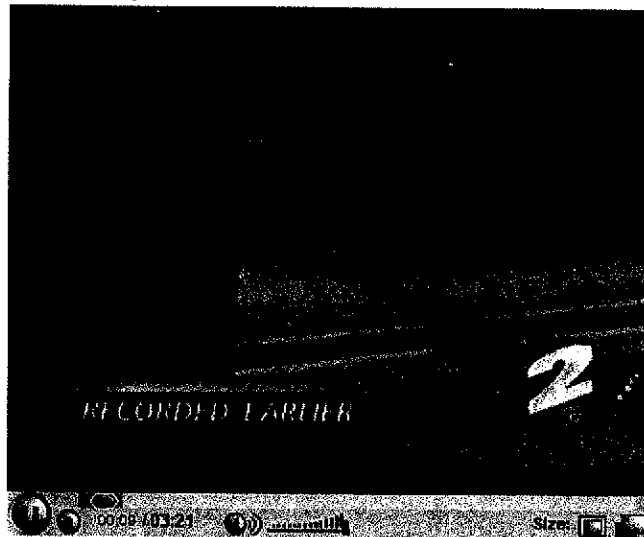
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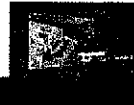
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EXHIBIT 5

19

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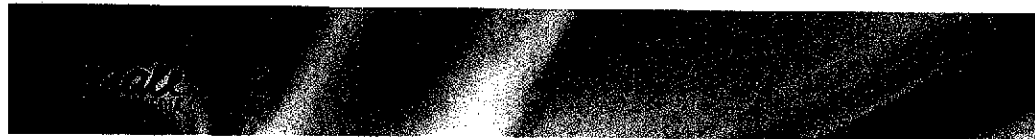
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"Bohemian
Rhapsody"**
Video
06:01From: [hollywoodrec](#)**Space Camp**
02:05From: [mylkhead](#)**GYM CLASS**
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Friend Request**
04:12From: [fueledbyadam](#)

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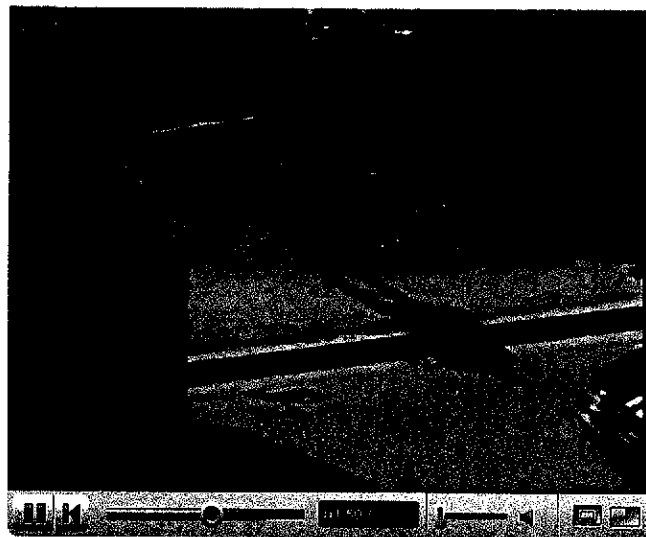
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Added October 06, 2006

From [RoffleWaffle223](#)
 to [RoffleWaffle223](#)

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 From: [RoffleWaffle223](#)
 Views: 1694

The Pedestrian
 03:38
 From: [RoffleWaffle223](#)
 Views: 697

The AOL Shootout
 03:51
 From: [RoffleWaffle223](#)
 Views: 288

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 From: [BriggsBeerCannon](#)

Beer vs. Flowerpot
 01:08
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Billie Joe Armstrong Gibson Interview
 02:10
 From: [GibsonGuitarCorp](#)


113-0016

EXHIBIT 7

21



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113-0017

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From [Jadore](#)to [Jadore](#)

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From: [loginutube](#)

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Ronaldinho: Touch of Gold
 02:44
From: [Nikesoccer](#)
Moby featuring Debbie Harry: New York New York
 04:04

 From: [MuteChannel](#)

EXHIBIT 8

113-0018

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